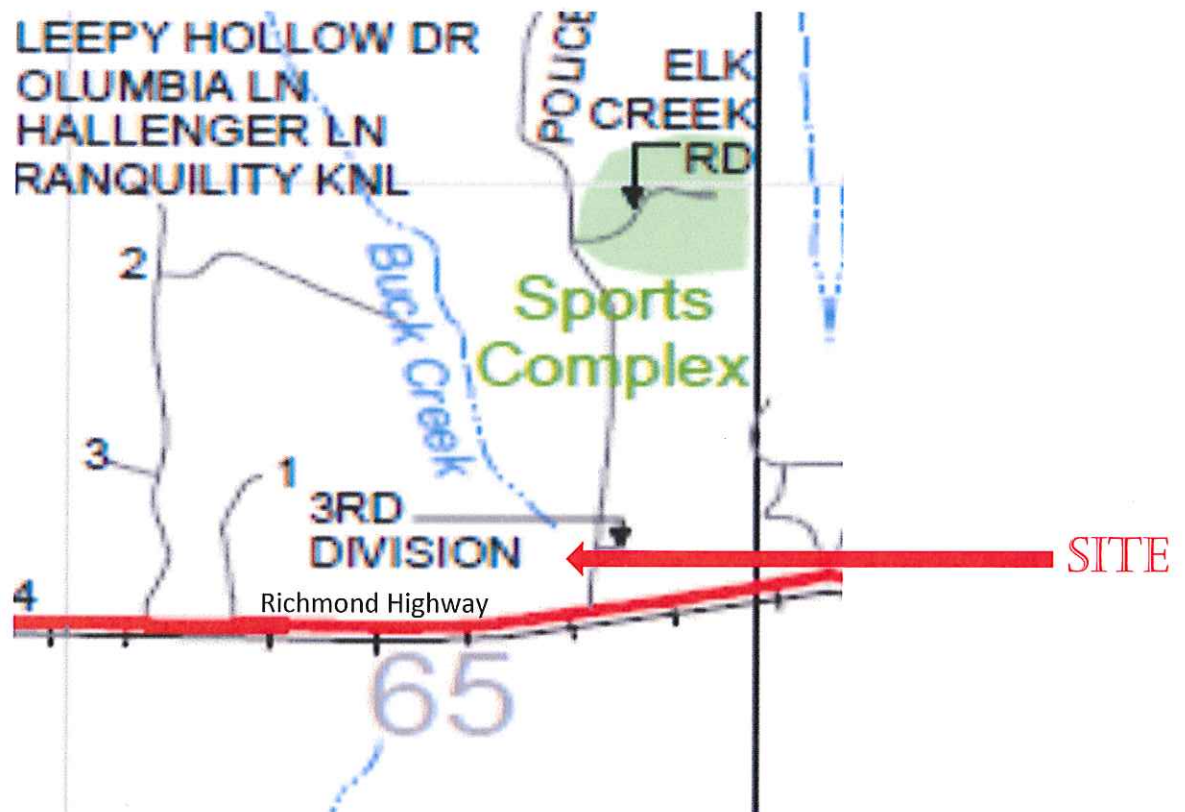


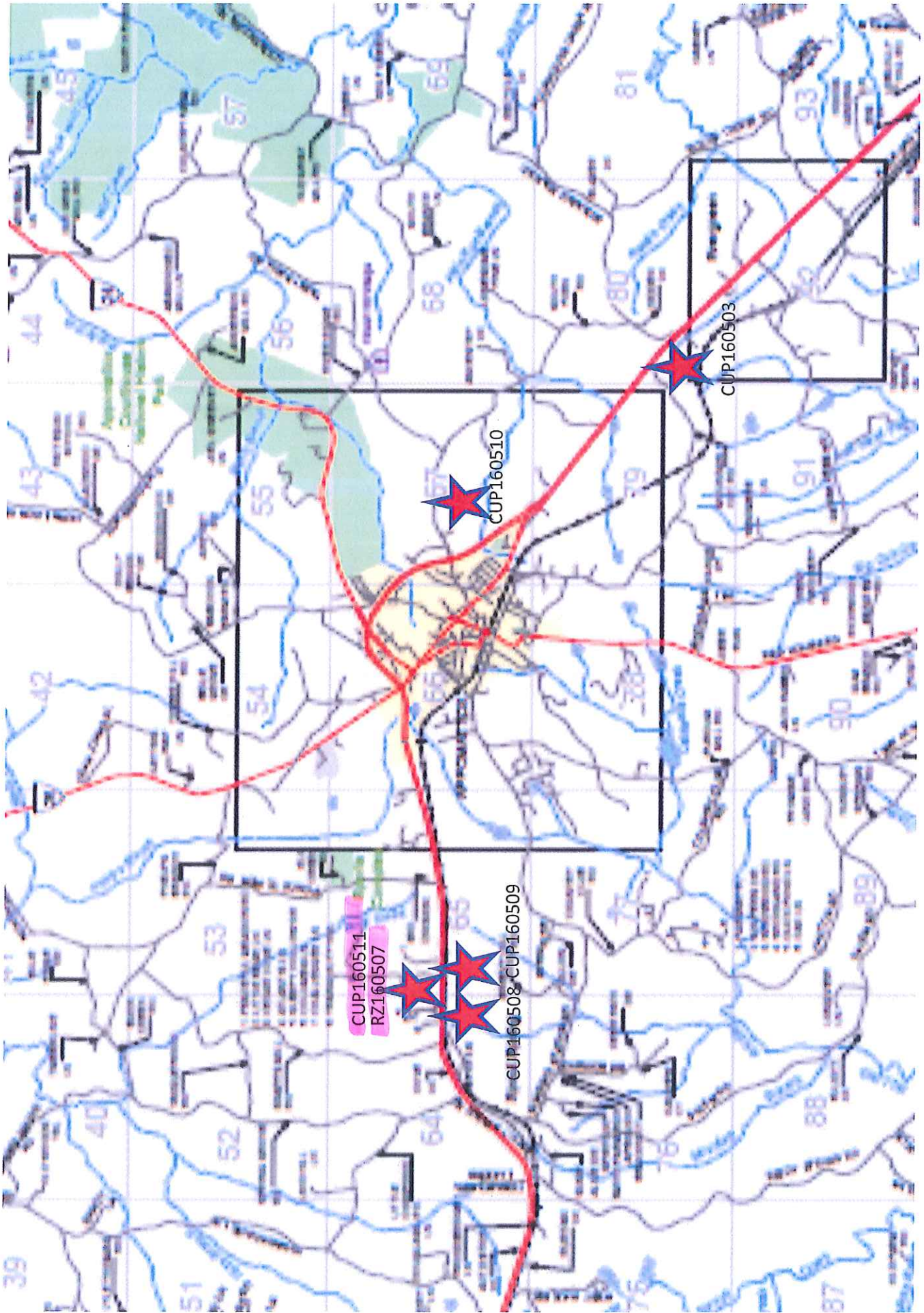


# *Appomattox County* VIRGINIA

## JOINT PLANNING COMMISSION MEETING FOR SEPTEMBER 14, 2016




RZ16-0507/CUP 16-0511  
LAWSON FAMILY LLC  
INNOVATIO SEALING TECHNOLOGIES



**County of Appomattox  
Department of Community Development  
Staff Report**

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**To:** Planning Commission

**From:** Johnnie Roark   
Director of Community Development

**Date:** September 14, 2016

**RE:** Rezoning (RZ16-0507) and Conditional Use Permit Application (CUP16-0511)-  
Lawson Family LLC (Innovatio Sealing Technologies)

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**SYNOPSIS**

Innovatio Sealing Technologies is requesting to rezone property and obtain a conditional use permit to operate a used car sales facility (automotive sales and service) by right and continue the auto gasket and seal facility currently operating (industrial manufacturing) on property located at 199 Police Tower Road in Appomattox.

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**Specifics**

Applicant:	Jason Brown/Keith Mann (Innovatio Sealing Technology)
Property Owner:	Lawson Family LLC
Current Use:	Industrial
Proposed Use:	add Auto Sales
Surrounding Uses:	Commercial, Educational, Public Institution
Parcel Size:	Approximately 6 acres
Zoning:	M-1, Industrial
Surrounding Zoning:	M-1, B-1, A-1
Tax Map Number(s):	63 (A) 11

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**ANALYSIS**

The property is located in a commercial/industrial node located at the intersection of Police Tower Road and Richmond Highway. This area has been home to garment manufacturing to small machine shop manufacturing over the past three decades. Currently the adjoining uses are a flea market, a private secondary school, a public institution (state police headquarters), and a used car sales lot. The private school parcel was rezoned from M-1 to B-1 in 2007. The large parcel east of Police Tower Road owned by Courtland Realty was rezoned from A-1/R-1 to B-1 in 2009.

The proposed rezoning would permit by right the used car sales on the property. The conditional use permit would allow the auto gasket and seal operation that currently is permitted in the M-1 to continue on the property. Without the CUP, the gasket and seal operation could be considered a non-conforming use, however this limits future growth. The CUP avenue allows this business the opportunity to grow without limitations.

The surrounding zoning and land use both encourage this type of development. The comprehensive plan also encourages this type of development, as this property is within the Richmond Highway West Commerce Corridor.



## **PROJECT IMPACTS**

As this property has continuously been operating in some form as an industrial property for many years, the impacts of this change would be negligible. The building would be segmented to allow for the gasket and seal business to continue to use the north east portion of the building, while the auto sales would use the remainder of the building and some of the outside parking area would be converted to a display lot. The office area would be a common area shared by the two businesses.

The existing site contains adequate parking for employees and customers.

The site is located in the Richmond Highway West Commerce Corridor which is designated for commercial growth. The location is supported by the Comprehensive Plan through the Growth Management and Economic Development sections.

The latest available traffic counts for this segment of roadway are 490 vpd on Police Tower Road and 17,000 vpd on Richmond Highway. The change in zoning is not anticipated to significantly impact traffic.

## **Planning Considerations**

The Appomattox County Zoning Ordinance lists the following standards by which a conditional use should be evaluated.

1. Will be harmonious with and in accordance with the general objectives or with any specific objective of Appomattox Comprehensive Plan and/or this chapter.  
*This use appears to be in line with the general objectives of the Comp Plan.*
2. Will be designed, operated and maintained so as to be harmonious and appropriate with the existing or intended character of the general vicinity; and that such use will not change the essential character of the same area.  
*The proposed use is being designed to mitigate any impact to the greatest extent.*
3. Will not be hazardous or disturbing to existing or future neighborhood uses.  
*The proposed use will not be hazardous to the existing neighborhood.*
4. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.  
*The impact on public facilities is negligible.*
5. Will not create excessive additional requirements at public costs for public facilities and services; and will not be detrimental to the economic welfare of the community.  
*Use will not negatively impact public facilities or services. Use provides added benefit by enhancing emergency services communication in the area.*
6. Will have vehicular approaches to the property which shall be so designed so as not to create any interference with traffic on surrounding public streets or roads.  
*Minimal traffic will be associated with this use.*

7. Will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance.  
*The proposed use will not negatively impact natural, scenic or historic features based on the balloon test.*

**Recommended Conditions**

1. Tower height, including antennae, lightning rod and other appurtenances is limited to 199 feet of height from average grade.
2. A row of Leyland Cypress trees, five (5) feet tall at the time of planting, twenty (20) feet apart, shall be planted along the western fence line of the lease area to block the view of the compound from Old Grist Mill Road.

**Planning Commission Action:**

The following motions are available for the Planning Commission:

FIRST, address the rezoning:

**To approve as submitted:**

For reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to recommend approval of the rezoning petition (RZ16-0507 Lawson Family LLC (owner) from M-, Industrial to B-1, General Commercial, as submitted.

**To deny:**

For reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to recommend denial of the rezoning petition (RZ16-0507 Lawson Family LLC (owner) from M-, Industrial to B-1, General Commercial, as the petitioner has failed to show the following:

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THEN, consider the Conditional Use Permit:

**To approve with staff recommended conditions:**

For reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to recommend approval of the conditional use permit (CUP16-0511) Lawson Family LLC (owner) as submitted.

**To deny:**

For reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to recommend denial of the conditional use permit (CUP 16-0511) Lawson Family LLC, as the petitioner has failed to show the following:

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## Appomattox County

Please print in blue or black ink or typewrite. If not applicable, write N/A.

### APPLICATION INFORMATION

Note: If the applicant is not the property owner, then an owner's authority letter must be submitted with the application.

**Applicant Name:** Innovatio Sealing Technologies

**Address:** 191 Police Tower Rd, Appomattox, VA 24522

**Phone:** (434) 664-2050 **email:** jasonbrown@innovatioseals.com

**Property Owner Name:** Lawson Family LLC

**Address:** PO Box 309, Appomattox, VA 24522

**Phone:** (434) 664-7239 **email:** n/a

**Authorized Agent/Contact Person:** Fred Lawson

**Address:** PO Box 309, Appomattox, VA 24522

**Phone:** (434) 664-7239 **email:** n/a

### Project Information

**Location/Address of Property (from County Administration office):**

191 Police Tower Rd, Appomattox, VA 24522

**Tax Map Number(s):** 63 A 11

**Election District:** 2

**Size of Parcel(s):** 5.83

**Amount of area to be utilized by proposed use:** 5.83

**Current Zoning:** M-1

**Current Land Use:** Commercial/Industrial

**Proposed Zoning:** B-1 with CUP

**Proposed Land Use:** Commercial w/ CUP

**Please describe the proposed project or purpose of the request:**

We would like to rezone the property to B-1 to allow commercial activities, specifically allow the use as used automobile dealership.

Additionally we would like to maintain the existing use of the property which is currently under M-1 - selling automotive seals and gaskets, but would operate under new CUP for the property to protect current use and also allow for light manufacturing of same product if needed.

**Proffers:** The applicant may proffer in writing reasonable conditions in addition to the requested zoning district regulations. All proffered conditions must be in writing, signed and presented prior to the start of the Board of Supervisor's public hearing. **Are proffers proposed?** ☐ YES ☒ NO (If yes, please submit proffer statement to staff.)

**Traffic Impact Analysis:** If the proposed use meets VDOT's requirements for a traffic impact analysis, then the applicant must meet with VDOT and submit a TIA along with the Development Application.

n/a

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### **Justification**

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The Planning Commission will study the request to determine the need and justification for the change in terms of public health, safety, and general welfare. Please answer the following questions as thoroughly as possible. Attach additional information if necessary.

**Please explain how the request furthers the purpose of the Zoning Ordinance and the zoning district classification for which the project is proposed.**

We believe our current use of property and proposed use of the property matches the orderly development of this area and that our business environment at this property will fit in well to the environment of the surrounding properties and their purposes as well.

**Please explain how the project conforms to the general guidelines and policies contained in the Appomattox County Comprehensive Plan.**

We know the importance of proper land use and resource utilization for the county. We feel this application reflects acceptable use of the property and that use of the property will be similar to adjoining commercial properties. The close proximity of this location to the State Police also affords us comfort and security that this area and location are a great fit for future investment.

**Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area as well as impact(s) on the public services and facilities, including water, sewer, roads, schools, parks/recreation, and fire/rescue.**


We do not believe that this requested use of the property will make a significant impact on the property itself, nor the surrounding area, public services and facilities. Impact on water, sewer, roads and schools should be minimal as traffic and activity on the property will be very similar to current use and previous use of previous tenants. We feel the close proximity of this property to US 460 affords strong exposure and convenience to current and future clients for both business focus areas. Increasing business activity at this location will benefit adjacent properties and will create opportunity for us to further improve this property and its appearance over time.

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### **Certification**

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I hereby certify that this application is complete and accurate to the best of my knowledge, and I authorize County representative(s) entry onto the property for purposes of reviewing this request.

Owner/Agent Signature:  Date: 08/23/2016

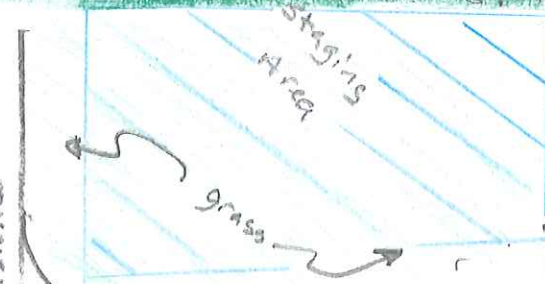
Print Name: Fred Lawson for Lawson Family LLC

# Cornerstone Christian Academy

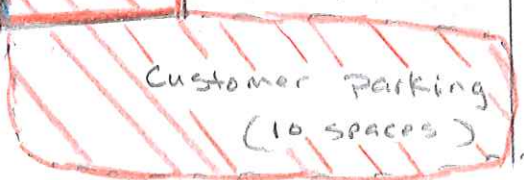
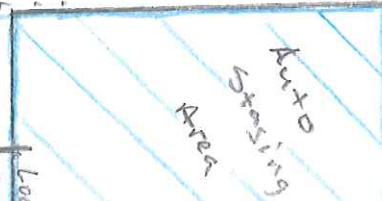
P1

460 Flea market

to Cornerstone



Loading Area



Grass

P1

Boysant

P1

Gravel

Auto Staging Area

Gravel

TO State Police

TO Rt. 460

Courtland Realty LLC

Virginia State Police

191 Police Tower Road

ITS - Sketch

Innovative Seals & Gaskets



# Innovatio Rezoning/CUP



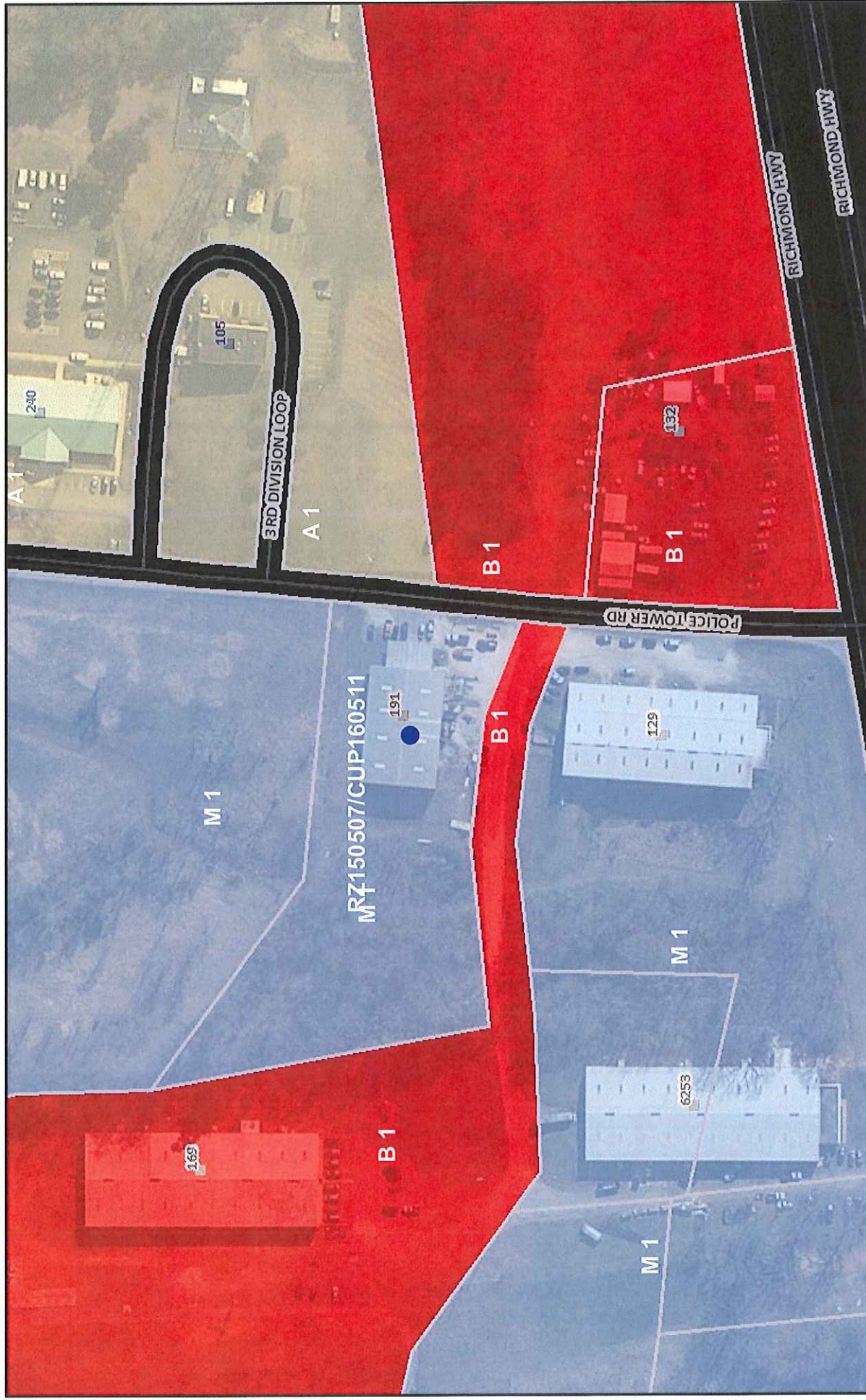
August 31, 2016

Parcels

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and



# RZ160507/CUP160511 Zoning



September 6, 2016

pointLayer

● Override 1

Parcels

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0 105 210 420 ft

0 30 60 120 m

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and